



## Christopher C. Wheeler

Partner

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### Services

- Antitrust
- Business Litigation
- Financial Services
- Fintech
- Healthcare
- Securities and Commodities Litigation

### Education

- Harvard Law School (J.D., 2002)
- Williams College (B.A., 1996)  
    *summa cum laude*, Phi Beta Kappa

### Bar Admissions

- California

Christopher Wheeler litigates high-stakes, complex civil cases in California courts.

In his antitrust practice, Chris represents both defendants and plaintiffs in class and competitor cases. He currently is representing parties, including two Fortune 50 companies, in multiple antitrust class actions in federal court. In the landmark antitrust class action against Sutter Health, the dominant hospital system in Northern California, Chris led the Farella team that, along with the California Attorney General and co-counsel, obtained a \$575,000,000 settlement and historic injunctive relief on behalf of a certified class of California employers, government entities, and union trusts. The settlement represents the largest all-cash settlement in the history of California state court. Chris is the editor-in-chief of the leading California antitrust treatise, *California Antitrust and Unfair Competition Law*, and has received the American Antitrust Institute's Outstanding Antitrust Litigation Achievement in Private Law Practice award.

State attorneys general across the nation have recognized Chris's antitrust expertise, retaining him in connection with both merger and conduct cases. The Rhode Island Attorney General retained Chris to lead the antitrust investigation of the \$4 billion merger between the two largest health systems in Rhode Island. Following the Attorney General's administrative decision denying the merger, the transacting parties abandoned the proposed transaction.

Named a "California Lawyer Attorney of the Year" by the *Daily Journal*, Chris has demonstrated his commitment to obtaining the best possible results for his clients in a broad range of civil litigation matters over more than two decades of practice in California. He successfully defended a leading Silicon Valley fintech company in a patent license arbitration against a competitor—backed by one of the world's largest private equity firms—that was seeking tens of millions of dollars in unpaid royalties. Following three years of litigation and an evidentiary hearing lasting 25 days, the arbitrator sanctioned the competitor for more than it recovered in unpaid royalties. In a recent nine-figure LLC dispute Chris handled, the cross-defendant settled for less than 0.8% of claimed damages days before trial. He has represented clients in a wide range of commercial and other disputes involving the following other areas: contracts and business torts; insurance coverage; securities law; intellectual property and trade secrets; administrative and political law; partnership law; bankruptcy; trusts and estate; landlord-tenant law; products liability; employment law; and legal ethics and malpractice.

Chris brings an economics and market regulation background to his antitrust and complex litigation practice. During the 2008-2009 U.S. financial crisis, Chris served as vice president and deputy director of the Committee on Capital Markets Regulation, where he led one of the first investigations into the regulatory failures contributing to the crisis. He began his career at the Federal Reserve Bank of New York.

Chris has prosecuted and tried to verdict a number of criminal cases as a "loaner" Assistant District Attorney in the San Francisco District Attorney's Office. As a Bar Association of San Francisco's Federal Pro Bono Project participant, Chris maintains an active *pro bono* practice. He has represented an indigent family in an unlawful detainer action, a victim of elder abuse, and a family-run business in an ERISA action. Chris also has won political asylum for refugee families, including a Laotian Hmong veteran of the CIA "secret army" and his wife and three generations of survivors of the Liberian civil war.

Chris is a member of the Executive Committee of the Antitrust and Unfair Competition Section of the

California Lawyers Association. He is chair of the Antitrust and Business Regulation Section of the Bar Association of San Francisco. Chris serves on the Executive Committee of the Harvard Law School Association and is a past president of the Harvard Law School Association of Northern California. At Farella, he serves on the New Business and Partnership Admissions committees.

## Distinctions

- California Lawyer Attorneys of the Year (CLAY) Award, *Daily Journal* (2022)
- Outstanding Antitrust Litigation Achievement in Private Law Practice Award, American Antitrust Institute (2022)

## Memberships and Affiliations

- Member, Executive Committee, Antitrust and Unfair Competition Law Section, California Lawyers Association
- Chair, Antitrust and Business Regulation Section, Bar Association of San Francisco (2024)
- Editor-in-Chief, *California Antitrust and Unfair Competition Law* (2024)
- Member, Executive Committee, Antitrust and Business Regulation Section, Bar Association of San Francisco
- Member, Executive Committee, Harvard Law School Association
- Immediate Past President, Harvard Law School Association of Northern California
- Member, Antitrust Practice Group, American Health Law Association
- Member, Antitrust Law Section, American Bar Association
- Member, Litigation Section Executive Committee, Bar Association of San Francisco (2016-2017)

## Experience

### Rhode Island Attorney General Antitrust Investigation of Proposed Merger Between Two Largest Healthcare Systems in Rhode Island

Represent the Rhode Island Attorney General in conducting an antitrust investigation, in coordination with the Federal Trade Commission, of the proposed merger between the two largest healthcare systems in Rhode Island. Following the issuance of the Rhode Island Attorney General's 131-page, single-spaced decision regarding the proposed transaction, the transacting parties abandoned the merger.

### Historic \$575 Million Settlement With Sutter Health in Antitrust Class Action

Represented UFCW & Employers Benefit Trust (UEBT) and a certified class of direct purchasers of hospital services in seeking preliminary approval of a historic settlement reached on the eve of trial in the landmark antitrust class action against Sutter Health, the largest hospital system in Northern California. Sutter has agreed to pay \$575,000,000 in monetary relief and to comply with comprehensive injunctive relief, including an independent monitor who will police Sutter's compliance with the proposed final judgment over a 10-year period.

### Rebar Fabricator and Installer Antitrust and Unfair Competition Litigation

Represent a fabricator and installer of rebar in an antitrust and unfair competition against the largest manufacturer and fabricator of rebar in the United States. The action in the Northern District of California alleges violations of the Sherman Act, the Cartwright Act, and California's Unfair Competition Law and Unfair Business Practices Act in connection with an unlawful territorial restriction and predatory pricing.

### Manufacturing Company Breach of Fiduciary Duty Litigation

Represented a Modesto-based manufacturing company in an action in Stanislaus County Superior Court

against two former executives who had secretly paid themselves approximately \$60 million in compensation in breach of their fiduciary obligations to the company. The case settled on the eve of trial following motions in limine.

#### **Digital Couponing Technology Company Patent License Arbitration**

Defended a leading Silicon Valley digital couponing technology company in a patent license arbitration brought by a competitor—backed by one of the world’s largest private equity firms—that was seeking tens of millions of dollars in unpaid royalties. Following three years of litigation and an evidentiary hearing lasting 25 days, the arbitrator sanctioned the competitor for more than it recovered in unpaid royalties.

#### **Cryptocurrency Exchange Interpleader Action**

Represented a cryptocurrency exchange in an interpleader action in the Northern District of California involving a dispute between a cryptocurrency company and its founders. The novel action resulted in the first known interpleader deposit of cryptocurrency with a federal district court.

## **Publications**

February 22, 2021

#### **Pandemic Restriction Challenges Face Uphill Battle in California**

*Law360*

January 19, 2021

#### **New Year, New CMS Price Transparency Rule For Hospitals**

*Health Affairs Blog*

June 1, 2020

#### **What Retailers Need to Know About California’s Price-Gouging Laws**

*Retail Leader*

May 5, 2020

#### **Testing California’s Price Gouging Statute**

*Law360*

## **Outside the Office**

Chris lives in Alameda with his wife and three children. He has coached girls and boys basketball in the Alameda Youth Basketball league. Chris is a parishioner at St. Joseph’s Basilica in Alameda and is an avid open-water swimmer.